

**REMARKS**

Claim 21 has been rejected under 35 USC 112, second paragraph. The rejection is moot in view of its cancellation.

Claims 1, 2, 7-9 and 14-21 have been rejected under 35 USC 103(a) as unpatentable over Fuss (U.S. Patent No. 5,347,374) in view of Toyota (U.S. Patent No. 5,461,440), further in view of Akimoto (U.S. Patent No. 4,364,084). The rejection is respectfully traversed.

The present invention relates to an image processing method for performing predetermined correction processing with respect to one or more items regarding the quality of color images. A judgment section judges the necessity/non-necessity of correction with respect to each of the items, and a correction processing unit performs the predetermined correction processing with respect to the item judged as requiring correction. To this end, when the image quality of a color image is corrected, the necessity/non-necessity of correction is judged, and the predetermined image processing is carried out only when correction is necessary. Hence, the necessity/non-necessity of image correction is not required by an operator, and the processing efficiency of image correction is improved.

Fuss discloses a system that discloses processing time of a picture image processed with a cascade transaction element, and an upgrade of a quality such that "there is provided a method of improving processing time of a color natural scene image define by color density signals processed by multiple processing elements, wherein after an exposure processor incorporates a luminance signal histogram, a modifying TRC curve is derived and applied to the luminance histogram signal." (See abstract). Judge/arbitrator 170, in Fuss, operates to resolve conflicts in the TRC determination, so that processors 112, 122 and 132 do not operate at cross purposes (col. 6, lines 22-24). The "judging" in the claimed invention, on the other hand, requires judging whether correction of image data of a color image is necessary based on a quality of sunset scene, the color image covered with a specific color, contrast and sharpness of the whole area of the image data. This is completely different from the judging that occurs in Fuss.

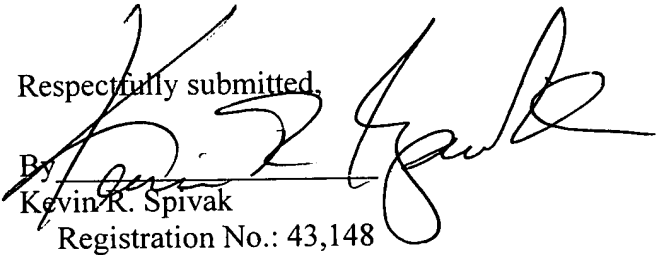
Similarly, neither Akimoto nor Toyoda disclose judging whether correction of image data of a color image is necessary based on a quality of sunset scene, the color image covered with a specific color, contrast and sharpness of the whole area of the image data, as required by the claimed invention.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772009600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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